

accuser. You elect a man to an office; but before you will allow him to take it, you say that he shall unbosom himself and reveal the inmost contents of his heart. It is practical self-crimination, for a man may be arrested under the present system which prevails here and which my friend says is all right; and of course if he says it is all right it must be so. He must expose himself to the annoyance and the concomitants of all descriptions, because he holds these unpopular opinions, which are condemned in the midst of civil strife and commotion at least.

Besides, as I before intimated, everything with regard to the past history of the persons who are elected to office, is accomplished when you provide, as has been successively done in every constitution framed in this country, that no person convicted of crime shall hold office under the State government. If the man who is elected has been convicted of crime, the record of conviction would be sufficient to exclude him. If he commits a crime between the time of election and the time of taking the oath, he can be prosecuted, and that would be sufficient, upon conviction, to exclude him.

Connected with this quite directly is the consideration which goes to the policy of the government in this war, in a very limited way. I have always understood that the object of this war, as is the case with all wars, is to conquer peace. Peace is the end of all fighting. All military matters tend to the cessation of hostilities. The object of the parent government, or the old government, in a country like this in a time of civil strife, is, or ought to be, to reclaim those whom it says have wandered from its fold of authority, and to bring them back; to bring the States back, and to bring the people back into the government and within the bounds of their former allegiance.

This theory of war at the beginning is the only theory prescribed for the end. If that is the policy of the government, if that be the policy of the people of Maryland, as a portion of the people of the United States towards armed rebels in the field, if your object ever is to induce those rebels to lay down their arms and become good citizens, to be reinvested with their rights and to live good Union men, and be brothers with us again, how much the more ought it to be the duty of the people of Maryland and the government of the United States to seek to reclaim those of our own fellow-citizens whom you suspect to have had in the past disloyal sentiments?

My friend from Baltimore city said one thing which struck me with great force.—This war has disappointed everybody. There are few men now on either side, in any section of the country, north or south, who entertain precisely the same views, opinions, hopes and expectations from this strife. I do not know what were his reasons, nor will I

undertake to impugn the motives which actuated him in taking this ground. Perhaps he is personally interested in not having so much importance attached to the first loyal uprising at the time of the beginning of hostilities. But let that pass. It is true as a matter of fact that this new test will exclude a great many gentlemen in Maryland besides those for whom it is intended. What is the practical effect of it? Whether it catches one party or both, where is the justice of it? Is it to be said that because at the beginning of this strife, a thing that was unlooked for and unexpected, that broke like a thundercloud upon the whole country, a man's unsettled convictions then were even against the government, they are now to be reckoned against him to the extent of excluding him from the power of holding office at the request of fellow-citizens, no matter how loyal he may now be?

How many instances do each of us know—how many could I cite, if it were not improper to mention private names in public discussion, who were secessionists in theory at the time of the breaking out of hostilities, but who subsequently, when matters took a turn, and when reaction came, when the strife had assumed a magnitude no one had ever anticipated, changed their convictions, said they were wrong and the government was right, and that the quickest way to peace was to put down by military power all resistance to the authority of the government. And shall such men be excluded from holding office as Union men?

Another objection to this amendment is its ambiguity, in the lines I have read.—Loyalty devoted to the cause of the Union—what is the cause of the Union? What are we to understand by it? How is the oath to be interpreted? I suppose that there can be no Union without the constitution; because if I read the history of the facts and the law aright, it is the constitution which makes the Union. The gentleman from Cecil (Mr. Pugh) it is true, went on this morning, at considerable length to speak of a possible Union apart from the constitution, as if he supposed the constitution to be something extraneous.

Mr. PUGH. Will the gentleman allow me to explain? The view I took was simply this, that in the course of this debate some gentlemen upon the other side, forgot what I supposed to be the gist of this matter, and that was that the existence of this people as a people was at stake; and it might so happen in the course of the war that their existence would be to them a paramount consideration. They seemed to have lost sight of that fact. Then I suggested that the constitution being the creature of the people, the people being the creators of the constitution, it might so happen that in defending their existence the constitution might be destroyed; or it might be only